

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No
A1186cn1

Total Pages in this Submission

TO THE ASSISTANT COMMISSIONER FOR PATENTS

Box Patent Application

Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 CFR 1.53(b) is a new utility patent application for an invention entitled:

METHOD AND APPARATUS FOR BIOPSY AND COLLECTION OF SOFT TISSUE

and invented by:

Burbank et al.

If a CONTINUATION APPLICATION, check appropriate box and supply the requisite information:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 08/645,225 which is a divisional of prior application No.: 08/217,246 which is now Patent No. 5,526,822

Enclosed are Application Elements:

- ☒ Filing Fee
- ☒ Specification having 46 page(s) and including the following:
- ☒ Title of the Invention
 - ☐ Cross References to Related Applications (if applicable)
 - ☒ Background of the Invention
 - ☒ Brief Summary of the Invention
 - ☒ Description of the Drawings
 - ☒ Detailed Description
 - ☒ Claim(s) as Classified Below
 - ☒ Abstract of the Disclosure
- ☒ 20 Sheets of Drawings(s) (37 CFR 113) ☒ Formal ☐ Informal
- ☒ Oath or Declaration ☒ Executed ☐ Unexecuted
- ☒ Copy from prior application (37 CFR 1.63(d)) (for continuation/divisional application only)
- ☒ Power of Attorney ☒ Executed ☐ Unexecuted
- ☒ Copy from prior application (37 CFR 1.63(d)) (for continuation/divisional application only)
- ☒ Incorporation By Reference -- The entire disclosure of the prior application from which a copy of the oath or declaration is supplied under the above entry, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
- ☐ Computer Program in Microfiche (Appendix)

Accompanying Application Parts

- ☒ Assignment Papers (cover sheets & documents(s))
- ☒ The prior application is assigned of record to Ethicon Endo-Surgery, Inc.
- ☒ Copy from prior application (37 CFR 1.63(d)) (for continuation/divisional application only)
- ☐ 37 CFR 3.73(B) Statement (when there is an assignee)
- ☐ English Translation Document (if applicable)

- ☒ Information Disclosure Statement/PTO-1449 ☒ Copies of 4 IDS Cited Reference(s)
☒ Preliminary Amendment
☒ Acknowledgment postcard
☐ Verified Statement(s) to Establish Small Entity Status Under 37 CFR 1.9 and 1.27
☐ Copy from prior application (37 CFR 1.63(d)) (for continuation/divisional application only)
☐ Certificate of Mailing by Express Mail
☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)

Fee Calculation and Transmittal

CLAIMS AS FILED					
For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	15	- 20 =	0	X \$22.00	\$ 0.00
Independent Claims	2	- 3 =	0	X \$82.00	\$ 0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$ 0.00
BASIC FEE					\$ 790.00
OTHER FEE (specify purpose)					\$ 0.00
(Applicant has small entity status under 37 CFR 1.9 and 1.27) SMALL ENTITY STATUS					--
TOTAL FILING FEE					\$ 790.00

- ☒ A check in the amount of \$ 790.00 to cover the filing fee and the assignment fee is enclosed.
☒ The Commissioner is hereby authorized to charge and/or credit Deposit Account Number 13-5135 as described below.
☐ Charge the amount of \$ _____ as filing fee.
☒ Credit any overpayment.
☒ Charge any additional filing fees required under 37 CFR 1.16 and 1.17.

Respectfully Submitted,



Donald E. Stout
 Attorney for Applicants
 Registration Number: 34,493

January 9, 1998

Peterson, Uxa & Stout
 100 Pacifica, Suite 210; Irvine, CA 92618
 phone 714) 450-1750; fax (714) 450-1764

365070 4440050